

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GRACE SMITH, ESQ, et al., v. NORTHAMPTON COUNTY, et al.,	CIVIL ACTION NO. 22-3788
GRACE SMITH, ESQ, et al., v. DR. TERESA MARLINO, et al.,	CIVIL ACTION NO. 22-3786
GRACE SMITH, ESQ, et al., v. ST. LUKE’S HOSPITAL UNIVERSITY HEALTHCARE NETWORK ANDERSON CAMPUS, et al.,	CIVIL ACTION NO. 22-1478

ORDER OF DISMISAL

AND NOW, this 3rd day of February, 2023, for the reasons stated in the foregoing

Memoranda, it is hereby **ORDERED**:

1. All federal claims of the *pro se* Plaintiffs, Grace & Michael Smith, are **DISMISSED** with prejudice.
2. The Court declines pendent jurisdiction over Grace & Michael Smith’s state law claims.

This Order is without prejudice to filing their state law claims in state court.
3. As to all claims of the “baby” J.A. Smith, the claims are **DISMISSED** without prejudice, and with leave for Plaintiffs within thirty (30) days to either:
 - a. Retain counsel to represent “baby” J.A. or;

- b. Petition the Court of Common Pleas of the appropriate Pennsylvania County with jurisdiction over baby J.A. for appointment of a guardian ad litem.

BY THE COURT:

/s/ MICHAEL M. BAYLSON

MICHAEL M. BAYLSON, U.S.D.J.